

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 94-20007

MALCOLM THOMAS,

Defendant.

ORDER SETTING STATUS CONFERENCE

IT IS ORDERED that counsel are DIRECTED to appear before the court on **July 28, 2009 at 2:00 p.m.** for a status conference, to be conducted on the record, regarding Defendant's eligibility for a sentence modification pursuant to 18 U.S.C. § 3582(c). Counsel shall be prepared to discuss the applicability of *United States v. Perdue*, — F.3d —, 2009 WL 2015242 (6th Cir. July 14, 2009) to this case.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: July 22, 2009

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, July 22, 2009, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522